

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

TYPHOON TOUCH TECHNOLOGIES,	§	
INC. and NOVA MOBILITY SYSTEMS,	§	
INC.,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	Civil Action No. 6:07cv546
	§	
DELL, INC., XPLORE TECHNOLOGIES	§	
CORPORATION OF AMERICA,	§	
ELECTROVAYA INC., and SAND DUNE	§	
VENTURES, INC.	§	
	§	
Defendants.	§	Jury Trial Demanded

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**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE  
SECOND AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

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Plaintiffs, Typhoon Touch Technologies, Inc. and Nova Mobility Systems, Inc.  
respectfully request the Court's leave to file Plaintiffs' Second Amended Complaint for Patent  
Infringement and in support respectfully show:

1. Plaintiffs' Second Amended Complaint adds seven additional party defendants to the action and alleges with greater specificity the infringing activities. During the pendency of the above-entitled action, Plaintiffs continued investigation of products that infringe one or more claims of the patents-in-suit revealed that the entities which Plaintiffs seek to add make, use, sell and/or offer for sale in the United States products which infringe the patents-in-suit.

2. Counsel for Plaintiffs have conferred with counsel for the above-entitled Defendants Dell, Inc., Xplore Technologies Corporation of America, and Sand Dune Ventures, Inc. and each has consented to the filing of Plaintiffs' Second Amended Complaint.
3. Attached as Exhibit A to this motion is a true and accurate copy of Plaintiffs' Second Amended Complaint for Patent Infringement.
4. Subject to the Court's ruling on this motion, Plaintiffs respectfully advise the Court that this action is not ready for a status conference in order that the additional parties may have adequate opportunity to appear and answer.

Premises considered, Plaintiffs, Typhoon Touch Technologies, Inc. and Nova Mobility Systems, Inc., respectfully request that the Unopposed Motion for Leave to File Plaintiffs' Second Amended Complaint for Patent Infringement be granted.

Dated: June 16, 2008

Respectfully submitted,

/s/ Michael J. Truncale

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**CERTIFICATE OF CONFERENCE**

I hereby certify that the filing of this motion has been discussed with the attorneys representing the other parties in this lawsuit, and there is no opposition to the filing of this motion.

/s/ Michael J. Truncale

Michael J. Truncale

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 16th day of June, 2008. All other counsel not deemed to have consented to service in such manner will be served via facsimile transmission and/or first class mail.

/s/ Michael J. Truncale

Michael J. Truncale